

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

APPLE, INC. and NeXT SOFTWARE, INC.,
f/k/a NeXT COMPUTER, INC.,

Plaintiffs,

ORDER

10-cv-662-bbc

v.

MOTOROLA, INC. and
MOTOROLA MOBILITY, INC.,

Defendants.

Both sides have told the court that they will agree to have this case tried in the Northern District of Illinois, although one side may have reconsidered its initial agreement. Regardless of any possible change of position, I am not persuaded that either side has shown a good reason to keep this case in this district. The parties have no basis on which to object to the reassignment of the case to another judge and all of the reasons for a change of venue set out in 28 U.S.C. § 1404(a) support a change of venue.

Trial in the Northern District of Illinois will be more convenient for the parties and the witnesses, given the location of defendant's headquarters in that district and the availability of non-stop flights from California. The transfer is definitely in the interests of justice; this court is not in a position to try the case at any time in the near future and there

is little likelihood of finding a volunteer judge to take over the case in its present form.

If the parties believe that Apple v. Motorola, 10-cv-661, should also be transferred to the Northern District of Illinois, they may take that matter up with the presiding judge in the 10-cv-662 case.

ORDER

IT IS ORDERED that this case is transferred to the Northern District of Illinois.

Entered this 30th day of November, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge